

UNITED STATES DISTRICT COURT
FOR THE DISTRICT COURT OF COLUMBIA

UNITED STATES OF AMERICA,	)	Civil Action No.:
	)	1:05-CV-0991-JGP
Plaintiff,	)	
v.	)	
	)	
WILLIAM P. TEDARDS, JR. and	)	
YVONNE TEDARDS,	)	
	)	
Defendants.	)	
_____	)	Jury Trial Demanded

DECLARATION OF WILLIAM P. TEDARDS, JR.

William P. Tedards, Jr. declares as follows:

1. My name is William P. Tedards, Jr. I am a party in this lawsuit. I am making this declaration in support of the defendants' motion for leave to file their opposition to plaintiff's motion for summary judgment one day later.

2. On March 1, 2006, the Court issued a scheduling order setting May 5, 2006, as the filing date for the plaintiff's motion for summary judgment and June 5, 2006, as the defendants' response date.

3. The plaintiff obtained extensions of the motion filing date, which was eventually set at July 14, 2006, thereby moving the defendants' response date to August 14, 2006.

4. On August 14, 2006, Stephanie Keener, a paralegal working with the defendants, began to file/upload opposition papers to the Court using the electronic filing system. While entering attachments to the filing, the transmission was interrupted and Ms. Keener was blocked from further transmission. Ms. Keener made numerous additional attempts to reenter the site and, once she logged on, she was sent to an error page indicating an “internal error” and still blocked from transmitting further.

5. After Ms. Keener explained this to the defendants by telephone, the defendants attempted to upload the opposition papers from their computer but were also blocked and sent to the same “internal error” message.

6. The defendants served the opposition on counsel for the plaintiffs by e-mail on August 14, 2006.

7. After service on opposing counsel, the defendants called the Court’s trouble-shooting line and left a message reporting the failed upload attempts and the completed service on opposing counsel.

8. On the morning of August 15, 2006, the defendants reached the Court, reviewed the events of August 14, and asked for direction. The Civil Docket Clerk for Judge Penn, Teresa Gumiel, indicated the defendants should file a motion for leave to file a day later and Mr. Bridges from the ECF helpline instructed the defendants to send the material for filing, via email, to the

dcdcmecf@dcd.uscourts.gov for filing by that office. That is the method defendants will use for filing these documents today.

Under penalty of perjury, I declare the information herein to be true and correct to the best of my knowledge, information, and belief.

DATED: August 15, 2006

/s/

William P. Tedards, Jr.

CERTIFICATE OF SERVICE

I hereby certify that on August 15, 2006, a true copy of the foregoing **DECLARATION OF WILLIAM P. TEDARDS, JR.** was served by email on counsel of record as follows:

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/s/ _____
William P. Tedards, Jr.